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# Commentary on Paris

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**In Response To:** Neil Paris's [The utility of Perelman's universal audience](#)

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I should begin by confessing that many of the observations Mr. Paris makes in his paper concerning Perelman's theory of argumentation appeal to me on an intuitive level. I found myself in agreement with several points of his critique, mainly because I myself reached conclusions very similar to those of Mr. Paris when I first encountered Perelman's "New Rhetoric" a few years ago. Furthermore, I don't think this convergence of opinion is either accidental or contrived. It is, I believe, a natural philosophical response to Perelman's attempt to propose a non-philosophical criterion for argumentational validity. A response so natural in fact that it seldom becomes the object of critical reflection in its own right.

The dialogue that Paris mentions in his paper between Crosswhite and van Eemeren and Grootendorst over Perelman's rhetorical sense of argument validity is a refreshing counterexample to this and I am impressed with Paris' willingness to enter the philosophical fray and stakeout his own territory on this issue. I think Paris is right when he suggests that what is central in this particular exchange is the issue of whether Perelman's "universal audience" is an adequate criterion for argument validity. Siding with van Eemeren and Grootendorst against Crosswhite, Paris' conclusion is that Perelman's criterion is, in the final analysis, an inadequate basis for judging argument validity. I have to confess that at this point I had anticipated that Paris' rationale for rejecting Perelman's criterion would run along similar lines as that of van Eemeren and Grootendorst. But it does not.

Consequently, what starts out as a two sided issue becomes a three sided issue with Paris' contribution to the exchange between Crosswhite and van Eemeren and Grootendorst on the merits of Perelman's theory. At earlier stages in his paper Paris appears to follow van Eemeren and Grootendorst's lead in his own critique of Crosswhite's defense of Perelman's project but at a later stage in his paper Paris makes what I think is a significant departure from their treatment of the subject. Consequently, in the course of staking out his own ground Paris makes several interesting points which I think merit addressing.

But before addressing Paris' own remarks I think it is necessary to move (metaphorically speaking) to higher ground and try to get a workable overview of the debate as a whole. As a result, I think the most constructive contribution I can make to this exchange is to begin by quickly outlining Perelman's position and from there introducing van Eemeren and Grootendorst's critique of Perelman. From here Crosswhite's reply regarding van Eemeren and Grootendorst's charges of arbitrariness can be outlined and Paris' contribution to the debate can be laid out and cast in sharp relief from the critique presented by van Eemeren and Grootendorst. As confusing as this might sound up front I think the result should provide a broader perspective that I

hope will make the issues more perspicuous. I think once we can see clearly where everyone stands we are in a far better position to decide the relative merits of each case.

In the very first paragraph of his work "The New Rhetoric" Perelman states in no uncertain terms that what is to follow "constitutes a break with a concept of reason and reasoning due to Descartes which has set its mark on Western philosophy for the last three centuries". (Perelman 1969: 1). For Perelman, it is Descartes who made "the self evident the mark of reason, and considered rational only those demonstrations which, starting from clear and evident ideas, extended, by means of apodictic proofs, the self evidence of the axioms to the derived theorems". (Perelman 1969: 1). Argumentation and reasoning, according to this approach, take their most ideal form when they follow the model of a mathematical proof. This traditional methodology is what Ralph Johnson and others have labeled "FDL" or Formal Deductive Logic.

Perelman's work explicitly calls this approach into question by calling into question its philosophical foundations and its usefulness. Not since Descartes has there been anything more than a limited appeal for any philosophical approach that includes "self-evident" truths as part of its outlook. Even if such truths were to be revealed and expounded, Perelman maintains, their existence would not serve to facilitate argumentation but to eliminate it. Argumentation under such circumstances would be as moot as the attempt to determine the outcome of a definite equation by debate on the part of a couple of mathematicians. As a result, Perelman's project is to put argumentation on a firm but non-philosophical footing.

I think this is a pivotal point that needs to be recognized from the outset. In fact, I don't think it an undue stretch of the imagination to see Perelman as an early forerunner of what we now would recognize as post-modern and neo-pragmatic strands of philosophical thought. In consciously rejecting a particular philosophical narrative of reasoning and rationality Perelman shares an outlook that we would now recognize as characteristic of such thinkers as Lyotard, MacIntyre and Rorty. Unless Perelman is taken seriously in his own rejection of a particular philosophical outlook we run the serious risk of advancing straw man arguments in the attempt to critique his theory of argumentation.

As a consequence of this conscious rejection of what Ralph Johnson has identified as a tradition of Formal Deductive Logic or "FDL" for short (Johnson 1996: 76) Perelman sees himself as not beholden to the standard for validity traditionally assumed by philosophical thinkers of that tradition. Now at this point Crosswhite makes what I think is his most salient contribution to this debate. In his discussion note "Is There An Audience for this Argument? Fallacies, Theories, and Relativisms" Crosswhite takes pains to flesh out and give historical content to the pointed analysis on the philosophical treatment of argumentation that Perelman advances in the introduction to his work. From this perspective Perelman's work emerges, in retrospect, as an attempt to

work out a theory of argumentation that avoids the moral and epistemological abyss left behind in the collapse of the enlightenment project.

We can see that what Perelman attempts to do in his presentation of his New Rhetoric is to walk a very fine line between what has been called a dead tradition of philosophical essentialism and the epistemological abyss of unqualified relativism where any and all audience judgements on the merits of an argument are all on par with one another. In an effort to re-affirm some type of standard Perelman introduces his notion of the "universal audience". The universal audience, Perelman affirms, is an archetype in the mind of a speaker that serves as standard that an argument needs to meet. Conceptually it has much in common with the notion of the "reasonable man" in English Common Law.

Admittedly, the notion of a universal audience is a regulatory concept that is not static. It exists as part of a reflective equilibrium. It requires an effort on the part of a speaker to jump in with both feet and look around for some concrete examples of audiences that appear to be the best exemplars of what would be regarded as rational evaluators of arguments; such reasoning, the argument goes, must begin somewhere. Without some transcendent basis or an *a priori* starting point we must look to the best of what we have, at least in the beginning. In a comparative moving back and forth between domains, the idea is to develop an ideal that raises the level of argumentative discourse without becoming so rarified that it loses its practical efficacy.

This is the rationale behind Perelman's arguments in favor of a universal audience and Crosswhite's efforts to explicate and defend Perelman's argumentative ideal. Both Paris as well as van Eemeren and Grootendorst decry Perelman's project (and Crosswhite's efforts to defend it) as insufficient to ward off what they see as the threat of relativism. van Eemeren and Grootendorst's argument, which they outline in their discussion note "Perelman and the Fallacies", seeks to upstage Perelman by embracing his rejection of the logico-geometrical conception of reasonableness in argumentation while at the same time advancing their own criterion that they believe is superior to Perelman's reliance on the notion of a universal audience.

Although this cannot be the forum in which to debate the complete merits of van Eemeren and Grootendorst's criterion for argument evaluation I think a couple of observations might get Perelman off the hot seat for now. First, in their assessment of Perelman's universal audience van Eemeren and Grootendorst make the following charge:

This means that they have a *rhetorical* concept of reasonableness that fits in with an anthropological standard of reasonableness. The consequence of this sociologically oriented approach is that argumentation that is sound in one case need not be so in another. Its soundness depends on the criteria employed by the audience that carries out the assessment. This means that the standard of

reasonableness is extremely relative. Ultimately, there could be just as many definitions of reasonableness as there are audiences (and since audiences can change their minds in the course of time, in practice, even more).

Introducing the restriction that argumentation is reasonable only when it is deemed sound by the *universal audience* does not lead to any necessary limitation. According to Perelman and Olbrechts-Tyteca, each individual is free to choose his or her own universal audience, so this only shifts the source of variation from the listeners to the speakers. (van Eemeren and Grootendorst 1995: 124).

Of course the weight of this particular criticism is difficult to determine until it is explained to us what would amount to a "necessary limitation". Presumably this limitation is neither based on "some external source of personal authority or sacrosanct origin" nor based on any kind of "metaphysical necessity" since van Eemeren and Grootendorst have explicitly eschewed these alternatives elsewhere (van Eemeren and Grootendorst 1988: 285). Perhaps, what van Eemeren and Grootendorst mean to imply is that Perelman's rhetorical orientation suffers in comparison to the efficacy or utility of their own pragma-dialectical approach. If so, then this needs to be made more conspicuous and argued for more candidly. Consequently, readers of van Eemeren and Grootendorst's critique of Perelman will have to compare and judge the relative merits of each criterion for themselves to see which one they consider to be a more acceptable standard.

In response to van Eemeren and Grootendorst's suggestion that Perelman's methodology contains no restrictions strident enough to prevent his criterion from sliding into relativism Crosswhite advocates that a fair-minded reading of Perelman would seek to examine the manner in which Perelman actually goes about forming universal audiences and in particular the "operations" that speakers can perform to move toward a standard that embraces universality and avoids arbitrariness in general. Here is where Paris enters the debate. Like van Eemeren and Grootendorst, Paris is also convinced that Perelman's rhetorical criterion for judging argumentation results in relativism and that at the end of the day the operations that Crosswhite advances for the readers consideration provide no real standard for argument assessment that avoids arbitrariness. In support of this assessment Paris seizes upon three points that Crosswhite enumerates in an effort to call Perelman's notion of a universal audience into serious question.

First, Paris critiques Crosswhite's explication of Perelman's suggestion that speakers imaginatively address only the faculties of an audience which are considered to be universal. Paris raises the point that this "imaginative operation" which serves to produce Perelman's notion of the universal audience cannot be trusted since it is an unchecked subjective assessment on the part of a speaker. As a subjective judgement it is subject to all the foibles

that any subjective stance would be faulted for. If we are restricted to the subjective domain, the argument might go, there is nothing to stop the individual from exercising the most arbitrary of judgements. Fortunately, even the most antagonistic readers of Perelman recognize that Perelman is by no means this solipsistic and that the subjective aspect of his argumentation theory is never meant to stand alone. Perelman takes pains to note that a constant equilibrium between the speaker's concept of what is to be regarded as universal needs to be checked against a realistic assessment of the actual circumstances. I think this point is supported by Perelman's remark that particular and universal audiences "pass judgement on one another" (Perelman 1969: 35).

Second, Paris questions Crosswhite's suggestion that speakers be discriminating in their choice of actual individuals to address and exercising the prerogative of excluding those who might prove to be intellectually recalcitrant to reasonable appeals. Since this strategy on the part of a speaker involves actual individuals, I am not inclined to see this as involving the universal audience. Instead, I see it as a strategy which attempts to appeal to the more noble aspects of a particular audience in order to achieve a higher level of discrimination and as a result taking argument in a similar direction as an appeal to a universal audience would. Paris makes the point that like appealing to a subjective conception of the universal audience, this approach relies on a subjective assessment of the rationality of particular audience members which for all practical purposes stands unchecked. This objection compares with the objection Paris raises above in that both express a general dissatisfaction with the idea of subjective assessment.

I would submit again that this aspect of Perelman's thought is not meant to stand alone. Perelman's inclusion of subjective assessment whether it be with respect to conceptualizing the qualities of the universal audience or assessing the reasonableness of particular audience members is never advanced in an unqualified fashion. It is always set against the backdrop of a reflective equilibrium between the ideal and the actual. This constant process of check and balance is what keeps the speaker's vision of the ideal or their assessment of rationality honest.

Third, Paris addresses Crosswhite's suggestion that a speaker can adopt a more inclusive outlook and choose to adopt a stance that addresses all particular audiences or all of humanity. I am inclined to think that the most charitable interpretation of Perelman and Crosswhite's suggestion in this instance is to regard it as an effort to avoid the pitfall of parochialism with respect to an argument's merits. Paris notes that this is the most relativistic suggestion of all in that it blurs "the distinction between argumentation which *should* be adhered to (de jure acceptance) from that which merely *is* adhered to (de facto adherence). He follows this with the suggestion that "there could be many arguments which fail to convince all of humanity, but which do manage to satisfy all reasonable and competent observers." I must confess that I'm unsure exactly what to make of this objection. Would these competent observers be in

the majority or in the minority and what would constitute an example of *de jure* adherence *per se*?

Perhaps as a means of getting at an answer to this last question we should now step back and address some of Paris' more general concerns that he raises at the end of his paper. Relativism is a problem, he concludes, because none of the operations that Perelman and Crosswhite propose can ensure genuine universal appeal. Imaginative operations that involve idealistic conceptions like the universal audience or even assessments of rationality as a basis for assessment are suspect because there is no guarantee that can serve to prevent an individual from making an obtuse assessment of these standards. No appeal to any particular audience or even an appeal to an aggregation of these audiences into the super-unit of humanity *per se* can ensure or guarantee that what is being appealed to in such cases rises to the level of the universal.

At one point Paris seems to hold out some hope when he notes:

Now if it is the case that there is a proper method for testing for universality, then all can be forgiven with regard to the impreciseness and subjectivity involved in the construction of universal audiences. With this sort of unambiguous testing procedure, all will 'come out in the wash' so to speak, and in the end we will be left with a true measure of an audience, free from particularity and subjectivity.

But this is followed by the charge that the methods of testing proposed by Perelman are circular. Paris rejects Perelman's suggestion that individuals submit their conceptions of the universal audience to particular audiences for refinement since particular audiences bear such characteristics as "irrationality, incompetence, abnormality, stupidity" and so on. Particular audiences cannot be entrusted to validate any assessment of what is legitimately universal. This, I guess, is Paris' answer to my suggestion that the notion of reflective equilibrium might help Perelman answer charges of unchecked subjectivity within his theory.

Paris contends that Perelman's methods only tend to produce varying degrees of universality which he says is "fair enough" but that as far as he is concerned "...Perelman has claimed to have discovered a manner in which non-formal argumentation can be validated. According to the theory, in order to establish these validity claims we need to have access to a full fledged universal audience who in turn judge argumentation." This leaves me a bit confused. I agree that Perelman does advance what he believes is a manner in which non-formal argumentation can be validated but to the best of my knowledge I cannot recall Perelman advancing the claim that we need to have access to a "full fledged" universal audience. Perhaps if Paris could tell me what he means by this term I could go back and clear up this confusion on my part.

And finally Paris ends his analysis of Perelman methods with an impressive

catalogue of criticisms. Perelman's techniques cannot be said to "guarantee any sort of universality due to their subjective nature". That his methods for constructing universal audiences are questionable with regard to their ability to provide "a bias free standard". With reference to the Euthyphro, Paris charges Perelman with "denying the existence of a single objective truth" and making the audience the sole measure of an arguments worth thereby rejecting "the possibility of the sort of standard needed for the latter type of explanation." Paris then finishes this line of reasoning by concluding that "Unfortunately, this is precisely the sort of standard needed later on when it comes time to distinguish between universal and particular audiences."

As a result, I stand at an intersection or an impasse in thought. Perelman begins his work by consciously rejecting a particular vision of truth and knowledge and seeks to provide an alternative standard for argument evaluation. Paris finds fault with Perelman's alternative standard and finds that within his methodology there are no "guarantees" that could ensure success. However, this critical posture can only be maintained so long as we beg the question against Perelman and assume either explicitly (as Paris seems to do) or implicitly (as van Eemeren and Grootendorst appear to do) that Perelman's rejection of the tradition of modern philosophy should not be taken seriously.

In order to put this point in perspective and bring this discussion full circle I'll end by making the following observation. Near the end of Mr. Paris' paper he describes Perelman's theory as suffering from what he calls "a variation of the Euthyphro problem". As he puts it "... measuring the worth of an argument in terms of its universality is to measure argumentation in terms of something which is itself arguable. In this way the explanation is no more clear than what is being explained." In an interesting twist this is more or less how post-modern philosophy sees its predecessor. By relying on essentialist conceptions of objective truths and bias-free standards modern philosophy succeeds only by invoking standards for explanation that upon reflection turn out to be no clearer than what it seeks to explain also.

Mr. Paris' paper is a fine work which grapples with issues that cut across the domains of rhetoric and philosophy. It remains true to the philosophical standard of seeking a higher vision from which to develop standards for judging argumentational merit. I invite Mr. Paris to make his analysis even finer by working out this higher standard that he seeks to apply and rendering it explicit for his readers to see. My intuition is that in the process of doing so he will approach philosophy more reflectively and perhaps even read rhetoric more sympathetically.

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